

## REMARKS

### I. STATUS OF THE CLAIMS

Claims 1-41 are currently pending. The Office Action indicates that claims 1-41 are allowable over the prior art of record.

### II. SUBMISSION OF ORIGINAL PATENT

The Office Action indicates that the original patent must be submitted the USPTO. Therefore, enclosed is the original patent.

### III. REISSUE DECLARATION

The Office Action indicates that the reissue declaration is defective because the language of duty to disclose is improper.

Attorney Kravetz telephoned Examiner Dixon on January 12, 2005, to discuss this matter. Generally, during the telephone discussion, the Examiner asserted that the words "known to us" in item 4 of the reissue declaration should be eliminated. Item 4 of the reissue declaration relates to the duty to disclose.

In response, during the telephone discussion, Attorney Kravetz indicated his belief that the language in the reissue declaration with respect to the duty to disclose appropriately corresponds to that required by 37 CFR 1.63(b)(3). Therefore, Attorney Kravetz respectfully asserted his belief that the reissue declaration is properly worded.

In accordance with the telephone conversation, the Examiner indicated that the reissue declaration would be reconsidered by the USPTO.

During the telephone conversation, the Examiner indicated that he did not have a copy of the signed reissue declaration filed December 22, 2004. Therefore, enclosed is a copy of the Submission filed December 22, 2004, providing the reissue declaration. Also, enclosed is a copy of the USPTO mailroom filing receipt for the Submission and reissue declaration. ✓

### IV. CONCLUSION

In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is respectfully requested.

If any further fees are required in connection with the filing of this response, please

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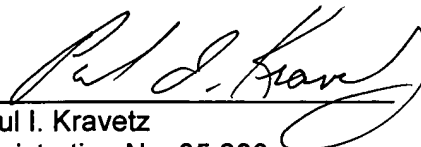
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charge such fees to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: May 2, 2005

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Please Date Stamp and return

Submission of Reissue Declaration, Reissue Declaration 4 pages

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SERIAL NO: 09/654,929

CONFIRMATION NO. 7584

TITLE: SOFTWARE REPRODUCTION APPARATUS

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